

PATENT

Attorney Docket No. D0932-404

**REMARKS**

Claims 1-69 are pending in this application. Examiner withdrew claims 50-69 from consideration based on Applicant's provisional election made over the phone on February 6, 2006 by Applicant's representative Won Joon Kouh (Reg. No. 42,763). Claims 1-49 are rejected.

Applicant hereby confirms the election to prosecute claims 1-49 and the withdrawn claims 50-69 have been canceled.

Furthermore, claims 16 and 42 have been canceled. Independent claims 1 and 24 have been amended and new claims 60 and 61 have been added. After the entry of the amendments submitted herein claims 1-15, 17-41, 43-49, 60 and 61 remain pending.

**Claim Rejection Under 35 U.S.C. § 102**

Examiner rejects claims 1, 5-7, 10, 14, 15, 18, 19, 24, 31-33, 36, 40, 41, 44 and 49 under 35 U.S.C. § 102(b) as being anticipated by United States patent No. 4,376,675 to Perrotta ("Perrotta"). For the reasons provided below this rejection is traversed.

Applicant has amended the independent claims 1 and 24 to incorporate the limitations of originally-filed dependent claims 16 and 42, respectively. Thus, amended claims 1 and 24 now require that the "gram weight of the air filtration media varies no more than  $\pm 5\%$ ." And Perrotta does not disclose an air filtration media having such tight gram weight variance.

The Examiner rejects claims 16 and 42 as being unpatentable over Perrotta, Yao et al. or Powers et al. in view of Miyake et al. (United States patent No. 4,548,628) but the Applicant respectfully traverses these rejections.

Although Miyake et al. discloses forming synthetic-fiber air filtration media having a generally uniform basis weight (Miyake et al. at column 3, lines 33-41), Miyake et al. does not disclose or suggest the particular gram weight variance of no more than  $\pm 5\%$ .

Thus, claims 1 and 24 as amended, incorporating the limitations of claims 16 and 42, respectively, are not disclosed or suggested by Perrotta or Perrotta and Miyake et al. in combination.

The claims 2-15, 17-23, and the new claim 60 depend from claim 1. The claims 25-41, 43-49, and the new claim 61 depend from claim 24. Because the independent claims 1 and 24 are

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allowable over Perrotta and Perrotta and Miyake et al. in combination, these dependent claims are also allowable over these references.

The Examiner rejects independent claims 1 and 24 under 35 U.S.C. §102(e) as being anticipated by U.S. patent Application Publication No. 2003/0211799 to Yao et al. ("Yao et al."). This rejection is traversed for the reasons stated below.

Amended claims 1 and 24 both require that the air filtration media comprise "plastic-containing bonding fibers *uniformly blended together* with the glass fibers . . ."

In contrast, Yao et al. disclose fibrous material made from binder fibers and functional fiber components where "it is preferred that the binder and functional fiber components of a fiber of the invention are oriented in substantially the same direction" (emphasis added). (Yao et al. at paragraph [0047] and FIGs. 3 and 5). Thus, Yao et al. does not disclose the fiber components that are uniformly blended together, as required by claims 1 and 24.

Accordingly, amended claims 1 and 24 and claims depending therefrom are allowable over Yao et al.

The Examiner rejects claims 1 and 24 under 35 U.S.C. §102(b) as being anticipated by United States patent No. 5,580,459 to Powers et al. ("Powers et al."). In view of the amendments made to claims 1 and 24, this rejection is traversed.

As discussed above in reference to the Perrotta reference, claims 1 and 24 have been amended to require that the "gram weight of the air filtration media varies no more than  $\pm 5\%$ ." And Powers et al. does not disclose an air filtration media having such tight gram weight variance and can not anticipate amended claims 1 and 24.

Accordingly, amended claims 1 and 24 and claims depending therefrom are allowable over Powers et al.

#### Claim Rejection Under 35 U.S.C. § 103

The Examiner rejects claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over Perrotta, Yao et al. or Powers et al. in view of Cusick et al. (United States patent No. 5,800,586). This rejection is rendered moot in view of the amendments made to claim 1.

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As discussed above in reference to the § 102 rejections, amended claim 1 is allowable over the references Perrotta, Yao et al. and Powers et al. And Cusick et al.'s disclosure does not cure the deficiencies of each of the references Perrotta, Yao et al., and Powers et al. discussed above. Therefore, Perrotta, Yao et al. or Powers et al. whether taken singly or in combination with Cusick et al., do not disclose the invention of amended claim 1 and thus these combinations also can not disclose the invention of claims 2 and 3.

The Examiner rejects claims 4 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Perrotta, Yao et al. or Powers et al. in view of Sircar (United States patent No. 6,358,871). This rejection is rendered moot in view of the amendments made to claim 1.

As discussed above in reference to the § 102 rejections, amended claim 1 is allowable over the references Perrotta, Yao et al. and Powers et al. And Sircar's disclosure does not cure the deficiencies of each of the references Perrotta, Yao et al., and Powers et al. discussed above. Therefore, Perrotta, Yao et al. or Powers et al. whether taken singly or in combination with Sircar, do not disclose the invention of amended claim 1 and thus these combinations also can not disclose the invention of claims 4 and 30.

The Examiner rejects claims 22 and 47 under 35 U.S.C. § 103(a) as being unpatentable over Yao et al. or Powers et al. in view of Mueller (United States patent No. 4,783,355). This rejection is rendered moot in view of the amendments made to claim 1.

As discussed above in reference to the § 102 rejections, amended claim 1 is allowable over the references Yao et al. and Powers et al. And Mueller's disclosure does not cure the deficiencies of each of the references Yao et al., and Powers et al. discussed above. Therefore, Yao et al. or Powers et al. whether taken singly or in combination with Mueller, do not disclose the invention of amended claim 1 and thus these combinations also can not disclose the invention of claims 4 and 30.

The Examiner rejects claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Perrotta, Yao et al. or Powers et al. in view of Cusick and Scanlon et al. This rejection is rendered moot in view of the amendments made to claim 1.

As discussed above in reference to the § 102 rejections, amended claim 1 is allowable over the references Perrotta, Yao et al. and Powers et al. And Cusick and Scanlon et al.'s disclosures do

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not cure the deficiencies of each of the references Perrotta, Yao et al., and Powers et al. discussed above. Therefore, Perrotta, Yao et al. or Powers et al. whether taken singly or in combination with Cusick and Scanlon et al., do not disclose the invention of amended claim 1 and thus these combinations also can not disclose the invention of claim 29.

New claims 60 and 61 are added to further claim the features of the present invention. The gram weight value claimed in claims 60 and 61 is fully supported by the disclosure of the originally filed Specification, for example, at paragraph [0059]. As described in paragraph [0059] the particular gram weight of about 70 gm/m<sup>2</sup> is substantially less than the gram weight of conventional glass fiber air filtration media (81-99 gm/m<sup>2</sup>) having the same initial air filtration efficiency values.

### CONCLUSION

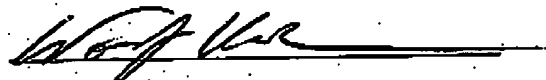
All amendments presented herein are fully supported by the disclosure of the specification as originally filed and no new matter has been added. Applicants believe that the pending claims as amended are in condition for allowance as they are distinguishable over the cited references. Reconsideration of the present application, withdrawal of the rejections and allowance of the pending claims are kindly requested.

Should Examiner not agree with Applicants' position, then a telephone interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

As shown in the attached Patent Application Fee Determination Record sheet, no additional claim fee is believed due for the filing of this amendment and response.

Respectfully submitted,

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